

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LORENZO MENDOZA MARTINEZ,
ELIU MENDOZA, ELIEZER MENDOZA
MARTINEZ, and GLORIA MARTINEZ
MONTES,

No. C 11-03194 WHA

Plaintiffs,

v.

**ORDER RE POTENTIAL
MOTION FOR ENTRY OF
DEFAULT AND DEFAULT
JUDGMENT**

AERO CARIBBEAN, EMPRESA
AEROCARIBBEAN S.A., CUBANA DE
AVIACION S.A., and GIE AVIONS DE
TRANSPORT REGIONAL,

Defendants.

Following the order dated February 11 (Dkt. No. 76), plaintiffs submit proof of delivery of the summons and complaint via DHL delivery to the Cuban defendants, with “proof of delivery” documents included (Dkt. No. 77). In that submission, plaintiffs ask that their earlier motion for entry of default and default judgment “now be granted or, in the alternative, [p]laintiffs be permitted to re-file the motion,” if the Cuban defendants do not appear in this action within 21 days after service. Of note, plaintiffs’ earlier motion was already denied by an order dated January 28 (Dkt. No. 74).

Accordingly, the earlier motion will not be reopened. Plaintiffs, however, may move for entry of default from the Clerk, *before* filing with the undersigned judge any fresh motion for entry of default and/or default judgment, noticed on the regular 35-day track.

IT IS SO ORDERED.

Dated: March 31, 2014.


WILLIAM ALSUP